

RELATIONSHIP WITH THE CONTRACTOR FURNISHING THE PAYMENT BOND, HAS A RIGHT OF ACTION ON THE PAYMENT BOND ON GIVING WRITTEN NOTICE TO THE CONTRACTOR WITHIN 90 DAYS FROM THE DATE ON WHICH THE PERSON PERFORMED THE LAST OF THE LABOR OR FURNISHED THE LAST OF THE MATERIAL FOR WHICH THE CLAIM IS MADE. THE NOTICE SHALL STATE WITH SUBSTANTIAL ACCURACY THE AMOUNT CLAIMED AND THE NAME OF THE PARTY TO WHOM THE MATERIAL WAS FURNISHED OR FOR WHOM THE LABOR WAS PERFORMED. THE NOTICE SHALL BE SERVED BY REGISTERED MAIL, POSTAGE PREPAID, IN AN ENVELOPE ADDRESSED TO THE CONTRACTOR AT ANY PLACE WHERE HE MAINTAINS AN OFFICE, CONDUCTS HIS BUSINESS, OR RESIDES.

(F) SAME - WHERE AND WHEN BROUGHT; LIABILITY FOR COSTS.

EVERY SUIT INSTITUTED UNDER THIS SECTION SHALL BE BROUGHT IN THE APPROPRIATE COURT IN THE POLITICAL SUBDIVISION IN WHICH THE CONTRACT WAS TO BE PERFORMED AND EXECUTED, OR IN THE POLITICAL SUBDIVISION WHERE THE CONTRACTOR HAS HIS PRINCIPAL PLACE OF BUSINESS. HOWEVER, NO SUIT MAY BE COMMENCED AFTER THE TERM OF ONE YEAR AFTER THE DATE OF FINAL ACCEPTANCE OF THE WORK PERFORMED UNDER THE CONTRACT. THE OBLIGEE NAMED IN THE BOND IS NOT LIABLE FOR THE PAYMENT OF ANY COST OR EXPENSES OF THE SUIT.

(G) TO WHOM BONDS PAYABLE; APPROVAL AS TO FORM.

IN THE CASE OF CONTRACTS OF THE STATE, OR ANY BOARD, COMMISSION, OR AGENCY OF IT, THE BONDS PROVIDED IN THIS SECTION SHALL BE PAYABLE TO THE STATE AND IN A FORM APPROVED BY THE ATTORNEY GENERAL. IN THE CASE OF ALL OTHER CONTRACTS SUBJECT TO THIS SECTION, THE BONDS SHALL BE PAYABLE TO THE PUBLIC BODY CONCERNED, AND IN A FORM APPROVED BY THE PUBLIC BODY'S ATTORNEY.

(H) WHERE BONDS FILED.

BONDS PAYABLE TO THE STATE SHALL BE FILED IN THE MAIN OFFICE OF THE STATE CONTRACTING AGENCY. ALL OTHER BONDS SHALL BE FILED IN THE MAIN OFFICE OF THE CONTRACTING AGENCY OF THE CONCERNED PUBLIC BODY.

(I) CERTIFIED COPIES OF BONDS.

THE OFFICER IN CHARGE OF THE OFFICE WHERE THE BONDS PROVIDED IN THIS SECTION ARE REQUIRED TO BE FILED, SHALL FURNISH A CERTIFIED COPY OF THE BOND TO ANY PERSON MAKING APPLICATION FOR IT WHO SUBMITS AN AFFIDAVIT THAT HE HAS PERFORMED LABOR OR FURNISHED MATERIALS FOR THE WORK AND PAYMENT THEREFOR HAS NOT BEEN MADE, OR THAT HE IS BEING SUED ON THE BOND. A CERTIFIED COPY OF THE BOND IS PRIMA FACIE EVIDENCE OF THE CONTENTS, EXECUTION, AND DELIVERY